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Applicant(s): Mazziero et al. 1403

Docket No.

16039.3

Application No.	JAN 18 2004	Mailing Date	Examiner	Customer No.	Group Art Unit
10/840,041		May 6, 2004	Unknown	022913	3732

Invention: **BIOCOPATENTABLE BONE IMPLANT COMPOSITIONS AND METHODS FOR REPAIRING A BONE DEFECT**

I hereby certify that the following correspondence:

Transmittal for Supplemental Information Disclosure Statement (2 pages); Supplemental Information Disclosure Statement (2 pgs.); PTO Form 1449 listing all cited references (3 pgs.); copies of five references; Certificate of Express Mail Label No. EV 695937082 US and postcard

(Identify type of correspondence)

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EXPRESS MAIL LABEL NO. EV 695937082 US

PATENT APPLICATION
Docket No. 16039.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
)	
Maspero, et al.)	
)	
Serial No.	10/840,041)Art Unit
) 3732
Confirmation No.	7765)
)
Filed:	May 6, 2004)
)
For:	BIOCOMPATIBLE BONE IMPLANT COMPOSI-)
	TIONS AND METHODS FOR REPAIRING A)
	BONE DEFECT)
)
Customer No.	022913)

TRANSMITTAL FOR SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 (e) is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

X Form PTO-1449 list of eleven (11) references submitted for consideration.

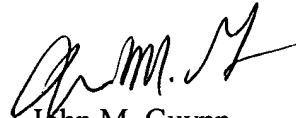
X Copies of five (5) of the references listed on the Form PTO-1449.

Because this Information Disclosure Statement is being filed pursuant to 37 C.F.R. § 1.97 (e), and each item of information contained in the accompanying Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application note more than three months prior to the filing of this Information Disclosure Statement, no fee is required.

Please credit any over payment or charge any additional fees to Deposit Account No. 23-3178 of the undersigned.

Dated this 19th day of January 2006.

Respectfully submitted,



John M. Guynn
Attorney for Applicant(s)
Registration No. 36,153
Customer No. 022913

JMG:sa



Applicant:
Serial No.
Confirmation No.
Filing Date:
For:

Maspero, et al.

10/840,041

7765

May 6, 2004

Att'y Docket No. 16039.3

Group: 3732

BIOCOMPATIBLE BONE IMPLANT COMPOSITIONS AND
METHODS FOR REPAIRING A BONE DEFECT

SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
____ 1	3,919,773	November 18, 1975	Freeman et al.
____ 2	4,237,559	December 9, 1980	Borom
____ 3	5,338,772	August 16, 1994	Bauer et al.
____ 4	5,501,687	March 26, 1996	Willert et al.
____ 5	6,203,574	March 20, 2001	Kawamura

U.S. Patent Application Publications

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Name</u>
____ 6	US/2003/055512	March 20, 2003	Genin

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
____ 7	WO 87/05521	September 24, 1997	PCT
____ 8	WO 90/01342	February 22, 1990	PCT

Examiner: _____ Date Considered: _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Maspero, et al.
Serial No. 10/840,041 Att'y Docket No. 16039.3
Confirmation No. 7765 Group: 3732
Filing Date: May 6, 2004
For: BIOCOMPATIBLE BONE IMPLANT COMPOSITIONS AND
METHODS FOR REPAIRING A BONE DEFECT

9 EP 1344538 September 17, 2003 EPO

Other Documents

(including author, title, pertinent pages, etc.)

Examiner
Initial*

10 Robert C. Thomson et al., *Hydroxyapatite fiber reinforced poly(alpha-hydroxy ester) foams for bone regeneration*, Biomaterials, Elsevier Science Publishers BV., Barking, GB, Vol. 19, No. 21, November 1998, pages 1935-1943.

11 D J Mooney et al., *Novel approach to fabricate porous sponges of poly(d, l-lactic-co-glycolic acid) without the use of organic solvents*, Biomaterials, Elsevier Science Publishers BV., Barking, GB, Vol. 17, No. 14, July 1996, pages 1417-1422.

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Applicant: Maspero, et al.
Serial No. 10/840,041
Confirmation No. 7765
Filing Date: May 6, 2004
For:

Att'y Docket No. 16039.3
Group: 3732

BIOCOMPATIBLE BONE IMPLANT COMPOSITIONS AND
METHODS FOR REPAIRING A BONE DEFECT

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
